IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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(1) CWP No. 19136 of 2006.
Date of decision: 20.3.2007

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Pritpaljit Singh. .... Petitioner

Versus

Panjab University & others.

.... Respondents

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(2) CWP No. 19778 of 2006

Nirvair Singh.

... Petitioner

Versus

Panjab University and others.

... Respondents.

CORAM: HON'BLE MR.JUSTICE JASBIR SINGH
HON'BLE MRS.JUSTICE NIRMAL YADAV

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Present:- Mr.D.K.Nagar, Advocate, for the petitioner in CWP No. 19136 of 2006.
Mr. R.S.Dhanda, Advocate, for the petitioner in CWP No. 19778 of 2006.

Mr. Anupam Gupta, Advocate, for the respondents.

Jasbir Singh, J. (Oral)

Vide this judgment, the above mentioned two petitions are being disposed of together as the facts and questions of law involved, in these cases, are the same. However, the facts are being taken from CWP No. 19136 of 2006, to dictate this order.

Petitioner is a student of B.A. LL.B. (Hons.) (5 Years Integrated Course). He appeared in 2nd semester examination and was declared fail in two subjects. He was not allowed to join the 3rd semester despite the fact that he had already applied for re-evaluation of the answer

sheets in the subjects in which he was declared fail. At that stage, he filed the present writ petition. On 4.12.2006, following order was passed by this Court:-

> "Contends that the result of the re-evaluation of the petitioner was declared on November 24, 2006 and was communicated to him on November 29, 2006. However, admission to the petitioner in 3rd semester of B.A. LL.B. (Hons.) (5 Years Intergrated Course) is denied only on the ground that the last date for admission was October 15, 2006. According to the learned counsel, the petitioner was entitled to apply for seeking admission to the higher class after the declaration of the re-evaluation result.
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> Notice of motion to the respondents for December 14, 2006.
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> On the asking of Court, Shri Ashish Rawal, Advocate, accepts notice on behalf of Shri Anupam Gupta, Advocate for the respondents and prays for time to seek instructions.
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> Copies of the writ petition shall be supplied to the learned counsel for the respondents, during the course of the day.
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> In the meantime, the petitioner shall be granted provisional admission and shall be permitted to participate in 3rd semester of B.A. LL.B. (Hons.) (5 Years Integrated Course) in the remaining papers of the examination which has already commenced. However, the aforesaid permission is wholly

provisional and shall not vest any equitable right to him and shall be subject to the final decision of the writ petition.

The University is also directed to issue the roll number and admit card to the petitioner forthwith and till such time, a copy of this order shall be treated as an admit card.

A copy of the order be given dasti to the learned counsel for the parties under the signatures of Special Secretary attached with this Court."

Thereafter the petitioner joined the 3rd semester and also appeared for examination in that course. In the meantime, on re-evaluation, he was declared pass in one subject and as such he became eligible to appear in 3rd semester.

In view of the admitted position, we allow this writ petition, confirm the admission of the petitioner in 3rd semester of B.A. LL.B. (Hons.) (5 Years Integrated Course). The respondent-University is also directed to declare result of the petitioner's 3rd semester examination.

(Jasbir Singh)
JUDGE

(Nirmal Yadav)
JUDGE

March 20, 2007
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